

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

STEPHEN J. TWINING,

Defendant.

CASE NO. CR16-0252-JCC

MINUTE ORDER

The following Minute Order is made by direction of the Court, the Honorable John C. Coughenour, United States District Judge:

This matter comes before the Court on Defendant David Johnson's unopposed motion to continue trial (Dkt. No. 17) and speedy trial waiver (Dkt. No. 18). The Court hereby GRANTS the motion (Dkt. No. 17) and FINDS that:

(a) Taking into account the exercise of due diligence, a failure to grant a continuance in this case would deny defense counsel the reasonable time necessary for effective preparation due to counsel's need for more time to review the evidence, consider possible defenses, and gather evidence material to the defense, as set forth in 18 U.S.C. § 3161(h)(7)(B)(iv);

(b) A failure to grant such a continuance in this proceeding would likely result in a miscarriage of justice, as set forth in 18 U.S.C. § 3161(h)(7)(B)(i);

(c) The additional time requested is a reasonable period of delay, as Defendant has

1 requested more time to prepare for trial, to investigate the matter, to gather evidence material to  
2 the defense, and to consider possible defenses;

3 (d) The case is sufficiently complex that it is unreasonable to expect adequate preparation  
4 for pretrial proceedings or the trial itself within the current trial schedule, as set forth in 18  
5 U.S.C. § 3161(h)(7)(B)(ii);

6 (e) The ends of justice will be best served by a continuance, and the ends of justice  
7 outweigh the best interests of the public and Defendant in any speedier trial, as set forth in 18  
8 U.S.C. § 3161(h)(7)(A);

9 (f) The additional time requested between the current trial date of November 21, 2016,  
10 and the new trial date is necessary to provide defense counsel the reasonable time necessary to  
11 prepare for trial, considering counsel's schedule and all of the facts set forth above; and

12 (g) The period of delay from the date of this order to the new trial date is excludable time  
13 pursuant to 18 U.S.C. § 3161(h)(7)(A) and (h)(7)(B)(iv).

14 It is therefore ORDERED that the jury trial date in this matter shall be continued to  
15 Monday, January 30, 2017 at 9:30 a.m., and that any pretrial motions shall be filed no later than  
16 Friday, December 30, 2016.

17 DATED this 28th day of October 2016.

18 William M. McCool  
19 Clerk of Court

20 s/Paula McNabb  
21 Deputy Clerk  
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